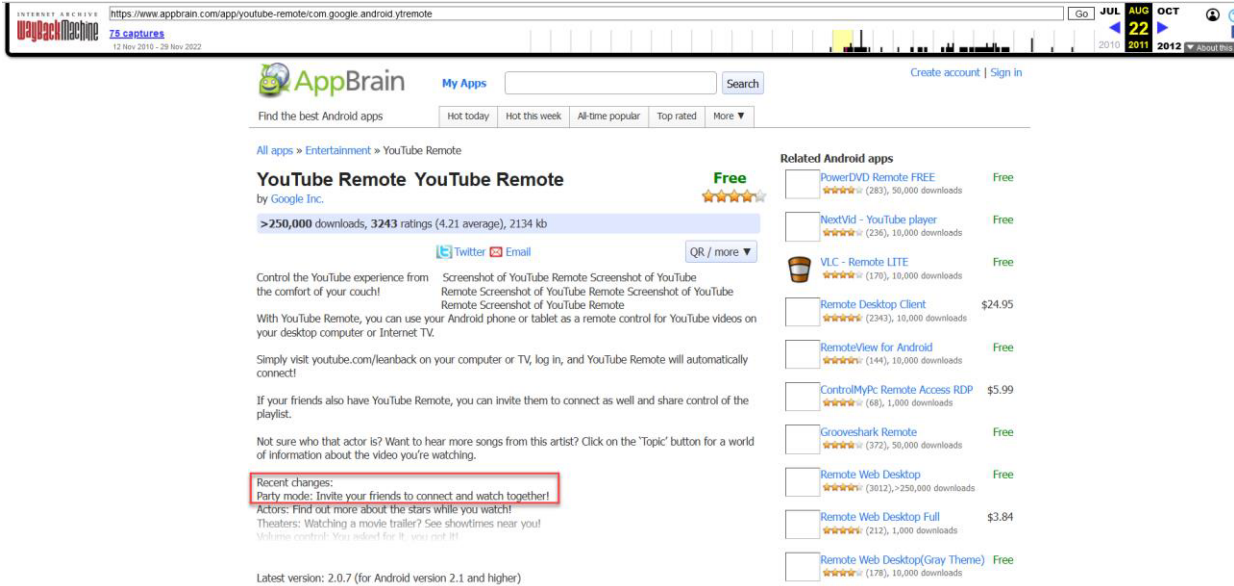


# **EXHIBIT 12**

## **Filed Under Seal**

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61. Indeed, the opinions in my Opening '033 Report show that the claims are invalid based on earlier versions of the YouTube Remote prior art, including at least Version 2.0.7 of the YouTube Remote prior art, which was released prior to Sonos's December 30, 2011 priority date:



See Opening '033 Rpt., ¶280, fn. 86 (citing <https://web.archive.org/web/20110822085859/https://www.appbrain.com/app/youtube-remote/com.google.android.ytremote> and GOOG-SONOSNDCA-00075593). Dr. Schmidt does not appear to dispute that versions of the YouTube Remote application prior to Version 3.0 are prior art. Thus, the asserted claims of the '033 patent are invalid at least based upon versions of the YouTube Remote application prior to Version 3.0 alone or in combination with the other references that I discussed in my opening report. .

## B. Response to Dr. Schmidt's Overview of the YouTube Remote

1. [REDACTED]

62. [REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED] I disagree with Dr. Schmidt.

63. Dr. Schmidt fails to appreciate that the prior art YouTube Remote system had different modes of operation: (1) party mode, and (2) non-party mode. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

64. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

---

6 [REDACTED]

[REDACTED]

7 [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

65. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]